

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

DANIEL A. LIND, Executor of the Estate of Dale  
W. Lind, Sr.,

Plaintiff,

v.

NORTHEAST OHIO CORRECTIONAL  
CENTER, et al.,

Defendants.

Civil Action No. 4:21-CV-02165-BYP

**NOTICE OF STIPULATIONS  
REGARDING UNCONTESTED FACTS**

Plaintiff Daniel A. Lind, Executor of the Estate of Dale W. Lind, Sr., and Defendants Northeast Ohio Correctional Center, CoreCivic, Inc., CoreCivic of Tennessee, LLC, James Giovino, MD, Marissa Hoppel, Alexis Schneider, and Nichol Davis (“Defendants”), jointly and by through undersigned counsel, file this Notice regarding the following uncontested facts agreed upon by counsel for Plaintiff and Defendants for use at Trial.

**UNCONTESTED FACTS**

1. Plaintiff Daniel A. Lind (“Plaintiff”) is the Executor of the Estate of Dale W. Lind, Sr.
2. Defendant Davis was a licensed practical nurse employed by CoreCivic to provide healthcare and nursing services to detainees at NEOCC at all times relevant to Plaintiff’s Complaint.
3. On November 12, 2020, Dale W. Lind, Sr. (“Lind”) was detained by the United States Marshals Service (“USMS”) and transported to NEOCC.
4. Lind was evaluated by medical during his intake at NEOCC on November 13, 2020.

5. Lind had a prior medical history of hypothyroidism and GERD. He also self-reported a prior medical history of potential transient ischemic attack.

6. On November 13, 2020, Lind was prescribed aspirin 81 MG.

7. On November 16, 2020, Lind was seen for a sick call request in which he reported he had not received his medications. He was advised to check with the nurse conducting pill call to determine if his medications were available.

8. On November 17, 2020, Lind was seen by Dr. Giovino for a chronic care clinic visit related to hypothyroidism. Lind reported that he was experiencing nightly heartburn. Dr. Giovino prescribed Levothyroxine and Omeprazole.

9. Lind received the two prescriptions ordered for him by Dr. Giovino but there is no record documenting that he received the aspirin.

10. On November 22, 2020, Lind was found unresponsive in his cell at NEOCC. CPR was performed on-site, and he was transported by ambulance to St. Elizabeth Hospital, where he was pronounced dead.

11. Lind was 61 years old at the time of his death.

12. The Report of Autopsy states that the cause of death is "Hypertensive and dilated cardiovascular disease" with "Moderate obesity" listed under "Other Condition(s)."

13. The death certificate for Lind lists "HYPERTENSIVE AND DILATED CARDIOVASCULAR DISEASE" under "Immediate Cause" of death, with an "Approximate Interval Between Onset and Death" of "YEARS."

RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of September, 2023.

*/s/ Shaun E. Young*

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 8, 2023, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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